### PROCEEDINGS OF CONGRESS

The Montana Case Laid Aside and the Anti-Trust Bill Passed by the Senate.

Congressmen Make an Appropriation to Supply the Silcott Deficiency-Interesting Debate on Increasing the Navy.

WASHINGTON, April 8.—In the Senate today Mr. Edmunds gave notice that as soon as the Montana election case could be disposed of the judiciary committee would endeavor to bring in the anti-trust bill, as reported by that committee in obedience to the order of the Senate.

Among bills reported from committees and placed on the calendar was the Senate bill to amend the interstate-commerce act.

Mr. Edmunds introduced a joint resolution (which will be referred to the literary committee), directing the literarians of Congress, of the Senate, of the House and the Department of Justice, respectively, to deliver extra or duplicate copies of lawbooks to the law department of Howard University. He said that he had heard with astonishment that a law-book in the District of Columbia, connected with a college that existed under the anthority of the United States had deliberately and on consideration refused to allow a person of some African blood, and in every respect a gentleman of extraordinary ability to at-tend its law lectures on account of his having African blood in his veins, The Howard University has also a law department, and he had introduced the resolutions so that law-books, not needed for the public service, might be donated to the Howard University, and that that portion of their fellow-citizens who were denied equal rights in other universities in the District

might have a chance to learn some law.

Mr. Call offered a preamble and resolution, which went over till to-morrow, reciting the published newspaper statements as to the packing of the juries in the Northern district of Florida, of which Charles E. Swayne is judge and Joseph Strippling strict attorney, and instructing the diciary committee to take evidence in the

The Senate then resumed consideration of the Montana contested election case, and Mr. Spooner continued his argument in favor of the right of the Republican claimants—Messrs. Sanders and Power. Much of his speech was directed against Governor Toole, of Montana, for his course in reference to the meeting of the Legislature; and another large portion of it to show that aliens who had merely declared their intention to become citizens, but had not tention to become citizens, but had not been fully naturalized, were not entitled to vote and to have their votes counted. If the Senate were to adopt the minority views and to seat Messrs. Clark and Maginnis, it would seat men whose title depended on the votes of men who were not citizens of the United States and who were no more entitled to vote in Montana than if they had never crossed the ocean.

Mr. Pugh, a member of the committee on privileges and elections, argued in favor of the minority report, declaring Messrs.

Clark and Maginnis entitled to seats.

When he had spoken for about half an hour it was found that there was not a quorum present, and Mr. Pugh, not feeling well, the case was laid aside.

Mr. Voorhees sent to the clerk's desk and had read a telegram received to-day from Helens Mont.

Helena, Mont.. stating that at the election in that city yesterday the Democrats had elected their Mayor by over 300 majority, and that the Republicans, who usually had a majority of from 400 to 6,000 had carried only one ward. Mr. Spooner's sarcastic comment upon the telegram was that "that ought to settle it," and Mr. Hoar's was that that was the strongest argument yet produced on the Democratic side.

The Senate then took up the anti-trust bill, as reported from the judiciary commit-tee. When the bill had been read, Mr. Sherman said that while the bill was not all he wanted, he believed that it was the best that could be got, and he would, therefore, vote for it as it stood. After further debate the bill was passed—yeas, 52; nays, 1-Mr. Blodgett. The bill as passed is exactly as it came from the judiciary committee on April 2. Adjourned.

Silcott Deficiency Supplied.

WASHINGTON, April 8.—The morning hour of the House was devoted to passing minor bills. Mr. McAdoo of New Jersey, from the committee on naval affairs, called up the bill to prevent the enlistment of aliens in the naval service of the United States, and it was passed.

Mr. Adams of Illinois called up the motion to reconsider the vote by which the House defeated the bill making appropriation to supply the deficiency caused by the Silcott defalcation.

Mr. Holman of Indiana moved to table the motion to reconsider. Lost. The motion was then reconsidered and the bill was passed.

The Hote then went into committee of the whole, Mr. Butterworth of Ohio in the chair, on the naval appropriation bill.

Mr. Holman of Indiana expressed his astonishment at the magnitude of the naval programme marked out by the Secretary of the Navy and initiated by this

Mr. Peters of Kansas criticised the provision of the bill for three battle ships. What was the object of building these

Mr. Boutelle-To fight.
Mr. Peters-To fight. To fight where? If we are to be involved with any foreign nations the war will not be on the Atlantic or Pacific ocean. Continuing, Mr. Peters said that the strongest mandate was the diplomatic mandate.

Mr. Boutelle inquired how that mandate was to be enforced. Mr. Peters replied that it would be employed in preventing Mr. Boutelle inquired whether the gentle-man would send the diplomate out to meet

the British man-of-war. Mr. Peters replied that we now had a navy which could carry a diplomate to any port in any foreign country. The day for battle ships on the ocean had passed. This country would have no more naval warfare. He did not believe there was any danger of any foreign nation declaring war against the United States. Foreign na-tions knew that the United States was as unconquerable as any nation under the shining sun could be.

Mr. Dolliver of Illinois said that the people of the West were in favor of the reconstruction of the American navy. With them it was a matter of national pride. The country could not get along with mere diplomacy. His idea was to make the Nation so strong on the sea that back of diplomacy would be the strength of the American people, manifested not only in protecting the coast, but also in protecting our commerce and citizens in every port of the world. The bill was then taken up by sections; but without completing its detailed consideration the committee rose and the House adjourned.

## QUEER ANTICS OF A YOUNG MAN.

#### Richard Proctor's Eccentricities Lead to His Incarceration in an Insane Asylum.

St. Joseph, Mo., April 8.-There is much excitement here over the strange actions of Richard Proctor, the only son of the late famous English astronomer, who died in New York a year ago of yellow fever. Proctor, who is a young man of twenty-one, has until recently been looked upon as unusually intelligent, and likely to succeed his father in fame as an astronomer. About two months ago, however, he began to act atrangely, and took exquisite delight in andering abroad at night and hurling luge stones through the windows of pri-Auge stones through the windows of private residences. At his own home he frequently would chop the furniture to pieces and toss the debris into the street. Two weeks ago Mrs. Proctor took him to Denver, where she lectured, and he amused himself in the Pullman car by appropriating the raiment of sleeping female passengers and dressing in the garments, and was only induced to surrender them to the owners by force. He believes he is very wealthy and owns all the real estate in St. Joseph. He contracts large debts, which are with difficulty paid by his mother and isters, who are poor. It was decided yes-

terday to have him committed to an insane asylum. He has been prominent in society, and is a well-known amateur cotilion

MINOR CITY MATTERS.

To-Day's Doings. ENGLISH'S OPERA-HOUSE-George C. Stale; in "A Royal Pass;" afternoon and evening PARK THEATER-Miss Eunice Goodrich in "Wanted, a Husband;" afternoon and evening.

Local News Notes. Marriage licenses were issued yesterday to Jeremiah H. Stultz and Jeanie M. Nixon Charles H. Clark and Maggie E. Nelis, Endewell Drum and Elizabeth Burke, Charles Cox and Annie Coster, Thomas F.

Russell and Kate T. Sullivan. Governor Hovey yesterday issued a requisition on the Governor of Kansas for Will-iam Gray, who is under indictment for larceny, in the Fountain Circuit Court. He is now serving a sentence in the Kansas pen-itentiary, and his time will expire in a few

Events to Occur. The Woman's Auxiliary of Christ Church

will give a reception this evening to Mrs J. R. Nichols in the church parlors. The Ladies' Missionary Seciety of the Second Presbyterian Church will meet in the church parlor, this afternoon, at

Friday evening, at Plymouth Church, the Friday evening, at Plymouth Church, the annual State oratorical contest is to take place. Those who are regarded as the best of our college orators will be on the programme, and the contest promises to be an unusually interesting one. The institutions to be represented are Wabash College, DePauw University, Franklin College, Butler University and Hanover College. The music will be by R. A. Newland. Seats can be secured of D. H. Baldwin & Co.

The Art Association exhibition, to opened on the 26th inst., at Masonic Hall, will display, hung in the windows, some fine pieces of stained glass. F. S. Church will send a picture of "A Young Girl and Fawn." An Italian painter named Mariotti. who lately painted a portrait of the Queen of Italy, will send two large landscapes. The first is "Summer in the Wood of the Capuchin Monks at Subiaco," and shows a peasant driving home his cows through the dense woods. The second landscape shows the vast and solitary tract of the Roman Campagna. Pictures by Muncacsy, Vibert. Detaille, Corot, Boditz and other noted foreign artists will, it is expected, also be Cincinnati will be abandoned, and the C., shown this year.

Personal and Society.

Miss N. C. Cropsey has gone to Oswego, N. Y., to spend a week. Mrs. S. J. Brash has gone to Bellefontaine, O., to visit relatives for a few weeks. Misses Dena and Frankie Haas, have returned to Tipton, where they expect to re-

Mr. and Mrs. F. M. Herron entertained quite a large party of friends last night at

Mrs. Josephine R. Nichols lectured yes-terday at Middlebury, and will return home

The family of Prof. John Towers will arrive from Europe Saturday, and will be at home at the Hotel Windsor.

Mrs. Zelda Seguin-Wallace returned yesterday from a short visit to Mrs. Wallace and Mrs. Steiner, at Cataract farm. Secretary of State Griffin and wife have gone to Lowell to attend the funeral of Charles Burhans, brother of Mrs. Griffin.

Miss Louise Ireton and Miss Mattie Hanna, of Cincinnati, are visiting Mrs. Carl Swigget, at No. 636 North Alabama street. Mrs. N. E. Alexander and family will leave to-morrow for Youngstown, O., to oin Mr. Alexander, where they will reside. Miss Helen Prettyman invited her friends to call yesterday, from 4 to 5 o'clock, to meet her guests, Miss Hospes and Miss Grace Morrison.

Mrs. M. H. Spades will go to Greensburg next week to give vocal assistance at a recital to be given by Miss Neally Stevens, Miss Shirley Dailey, who has been spend-

ing the winter with friends in Denver, Col., and Miss Jennie Eckhouse, who has been visiting in New York and other Eastern cities, have returned home.

Mrs. Thornburgh, of Minneapolis, who has been visiting Mrs. Dickinson, on North Alabama street, and Mr. Isa Beitman, of Seymour, who has been the guest of Mr. Selig's family for several days, left for their respective homes yesterday. Mrs. Hasbrouck, of Chicago, will sing this afternoon at the meeting of the Mati-

nee Musicale. The composers for the day will be Brahms, Saint-Saens, Reinecke, Grieg, Doorak and Rheinberger. The first division will have charge of the meeting. Mrs. T. A. Hendricks entertained a number of friends informally at dinner last evening. The guests were Miss Laura Ream, Mr. and Mrs. G. G. Tanner, Mr. and Mrs. Wm. Scott, Miss Hendricks, Mr. and George Bingham and Mr. and Mrs.

Miss May Johnson, Miss Edna Burks, Miss O'Connor, Miss Rexford, Miss Anna Willcox, Messrs. Will Wocher, A. S. Chat-field, E. A. Harmon and John Geiger went to Terre Haute yesterday, and last night took part in a concert that was given there for the benefit of the firemen's fund.

THE DRAMATIC CLUB. There was a large and fashionable audience gathered last night in the dancing hall at the residence of Mr. J. H. Vajen on North Meridian street, to witness the performance of Gilbert's comedy, "Engaged," by the Dramatic Club. It was given for the enefit of the Free Kitchen Garden. Mr. Tarkington and Miss Carrie Farquhar were the 'stars,' and showed a dramatic force that gave the performance much of the excellence found in professional finish. And conspicuously good were Miss Margaret Baldwin and Mr. Clarence Henning in their characters of Scotch peasants. They used the dialect with excellent effect. Mr. Horace Hord also carried one of the important parts through in good form. Other parts were given with much force by Miss Carrie Malott, as the matron; Miss Anna Belle Baldwin, as the young bride, and Miss Claire Shover, who took the part of the little maid. Dr. D. A. Thompson and Mr. Alvin Lockard also gave a streng 1 to the performance in the characters sustained. The stage was small, but fully and appropriately equipped. The performance will net a considerable sum for the charity for which it was given

Special to the Indianapolis Journal. Marion, April 8 .- Miss Bertha B. Devereux and the Rev. George Davis Adams, of Cleveland, were married at 9 o'clock this morning, at the soldier's home, Bishop David B. Knickerbacker, of the Episcopal Diocese of Indiana, officiating. The wedding was one of the most brilliant affairs of the season, a number of distinguished guests from Cincinnati and Dayton being in attendance. The bride's costume was a reception dress of cameo-colored broadcloth, with bonnet en suite. She carried a beautiful boquet of bride's roses and lilies of the valley. An elaborate wedding-breakfast was served, after which Mr. and Mrs. Adams left for Cleveland, their future home. The presents were numerous, costly and beautiful. Miss Devereux was a former Cincinnati girl, the eldest daughter of Gen. A. F. Devereux, now in command of the Marion branch of the national soldiers'

ADAMS-DEVEREUX.

GREGORY-WHITE.

KNIGHTSTOWN, Ind., April 8.-The marriage of Mr. George Gregory, of Garden City Kan., to Miss Carrie White, was celebrated at the home of the bride's parents, Mr. and Mrs. Dr. J. W. White, on South Jefferson street, at 9 o'clock this morning, in the presence of a few friends and relatives. The couple left on the 10:30 train for their new home in the Indian Territory. ROCK-BOON.

Special to the Indianapolis Journal. MONTICELLO, Ill., April 8 .- Charles D. Rock, of this city, and Miss Lucy Boon, a well-known and popular teacher in the

tel, Rev. M. Walter officiating.

public schools of this city, were married

to-pight, in the parlor of the Tremont Ho-

Sold Liquor on Election Day. William J. Moore was arrested by patrolmen Manning and Kruger, last night, on a charge of selling liquor on election day at his saloon, No. 404 West Washington street.

Insure Against Pneumonia. Use Baker's Pure Cod Liver Oil, or Baker's Emulsion. The old reliable brand. All druggists.

AFFAIRS OF THE RAILWAYS.

Calvin 6. Brice's New Purchase, and What Is Likely to Be Done With It. General Manager Bradbury, of the Lake Erie & Western, said last evening that the Brice syndicate had a deed of the Fort Wayne, Cincinnati & Louisville road, and that as soon as a few minor matters were shaped up by General Manager Saul they would take possession of the property, probably on the 14th. He stated that it would be operated as the Cincinnati division of the L., E. & W. The securing of this property by the Brice syndicate increases the mileage of the Lake Erie & Western system one hundred and thirty-three miles. Speaking of its physical condition, he said between Fort Wayne and Connersville there is but one and a half miles of iron rail; the rest is laid with a steel rail weighing fifty-six pounds to the yard, most of which has been placed in the track recently. A large portion of the road needs ballasting with gravel, and also new crossties. Bridges are in fair condition, but it is the intention of the new management to at once place the road-bed and the equipment in good condition. The road is better provided with power than with passenger and freight cars. In speaking of the extension of the road southward, he remarked that that was a matter in which he was not posted, but probably the road would be extended southward to some prominent railroad center. When the road was projected Louisville was to be the terminal, and it might be that this project would yet be carried out. Although he expressed ignorance of the intention of the Brice people, from the tenor of his conversation it seemed more likely to be Cincinnati. The route would not be as direct as from Connersville. It is claimed that a road twelve miles shorter than the C., H. & D., from Connersville, can be built, and, aside from the heavy expense of getting into Cincinnati when at the city limits, it is estimated, could be built at a cost not to exceed \$13,000 a mile. After the Brice syndicate reach New York the extension question will be taken up, and some H. & D. will do their business.

A Change in Policy Contemplated. Since the days of Thomas A. Scott the Pennsylvania Railroad Company has done but little in the way of reaching into new territory, more especially in the West. The several roads now in the system west of Pittsburg were practically in it the day Mr. Scott died. Since his death there have been reorganizations of the various companies on a different financial basis, but no actual extensions have been made. A Philadelphia paper intimates that the able men at the head of the Pennsylvania affairs are looking to extend their lines west of Chicago through obtaining an interest in the Chicago, Milwaukee & St. Paulroad, and it is thought that a portion of the new issue of stock, amounting to \$20,000,000, will be expended in bettering the company's position west of its present terminals. It is thought that the Pennsylvania Company will be forced to take some such action for self-protection. The Vanderbilts have, without doubt, the Chicago & North-western under their jurisdiction, if not full control, the Northern Pacific bids fair to become part of the Baltimore & Ohio's great through line, and there is really no way of estimating what changes may be brought about in the map of other Chicago roads within the next twelve months.

P., C. & St. L. Stockholders. The annual meeting of the stockholders of the Pittsburg, Cincinnati & St. Louis road was held in Columbus, O., yesterday. The annual report for 1889 shows an increase in gross earnings, as compared with 1888, of \$485,644, and a decrease of expenses of \$3,079. The net earnings for 1889 were \$1,684,259.98. The surplus for the year of 1889 was \$626,257. Deducting losses on leased lines, \$340,194, leaves a surplus on all lines for 1889 of \$286,062.34, against a deficit upon all lines for 1888 of \$95,254.74. The tonnage on all lines increased 676,501 tons. The number of passengers carried on all lines decreased 30,448. The agreement for the proposed consolidation with the Chicago, St. Louis & Pittsburg Railroad Company was not submitted.

Personal, Local and General Notes. Assistant General Manager Barnard, of the Big Four lines, went to Chicago last

The annual meeting of the stockholders of the Cincinnati, Wabash & Michigan will be held to-day. General Manager Bradbury and H. C.

& Western, are in Chicago.

John H. Martin, general agent of the Big Four at this point, is so ill with rheu-matism as to confine him to his home. W. H. Folsom has been appointed purchasing-agent of the Louisville, New Albany & Chicago road, vice F. C. Butze re-

J. V. McNeale auditor of the Indianapolis. Decatur & Western road, who has been out of health for some weeks, is off on a health-seeking trip. H. H. Kendrick, auditor of the Pittsburg

position of auditor of the Louisville, New Albany & Chicago road. It is stated that T. B. Burnett, superintendent of the Peoria & Pekin road, is soon to resign to accert a position on one of the

& Lake Erie road, has resigned to take the

roads running out of Salt Lake City. William Gibson has been appointed private secretary of William M. Greene, general manager of the Big Four lines, vice T. A. Switz, whose resignation was mentioned several days ago.

J. Ramsey, jr., assistant to President Ingalls, is expected to be in the city to-day, to decide which of the bidders shall be awarded the contract to put in an elevator at the Union Station.

It is stated that the Big Four people are, in a quiet manner, favoring the building of the proposed road from New Albany to In-dianapolis, and would gladly join them in making a good Chicago line.

L. A. Boyd, superintendent of the In-

dianapolis, Decatur & Western road, who has been confined to his room for three weeks by illness, is so much better that he expects to be at his office to-day. General-manager Woodford, of the Cincinnati, Hamilton & Dayton lines, who has been East for some days, tiguring on a deal to take under control of the C., H. & D. certain western lines, is expected home to-

F. D. W. Holbrook, manager of the Lake Shore & Eastern railroad, has tendered his resignation, to take effect May 1. after which date the office will be abolished and the duties assumed by the managing trus-

The Richmond Telegram intimates that the citizens of Richmond are not pinning their faith so much to the promises of the Mackey syndicate as in times past, so many of the proposed schemes failing to material-

The meeting of the stockholders of the Indianapolis, Decatur & Western, called for to-day, has been postponed thirty days. It is stated, however, that everything is moving along smoothly so far as the reorganization of the affairs of the company

The high waters at Cincinnati the last week of March told seriously on the earnings of the Big Four, practically stopping its freight business at Cincinnati. The earnings the fourth week in March dropped \$23,701.37 below those of the last week in March, 1889, but for the month an increase is shown this year of \$16,531.31.

From one of the organizers is learned that the work of federating the brotherhoods of engineers, firemen, brakemen and iswitchmen in the Eastern States is moving along with much more promise than in the Western States. Confederations have been law requiring all disputed claims against formed at Buffalo. Jersey City, New York, the State to be brought before the general Hoboken, and many other points.

With the taking effect of the spring timetable the Pennsylvania and the Vandalia superintended the putting in of the will shorten the running time of trains Nos.

20 and 21. The run between Indianapolis ment of the Insane Hospital, some and New York will be made in twenty-three years ago, and was allowed \$1,500 for the

hours, between St. Louis and New York in twenty-nine hours. The time, respectively. is now twenty-four hours and twenty-nine

and a half hours. At the meeting of the freight department of the Central Traffic Association, at Chicago, yesterday, it was resolved that rates on iron and iron articles be made on the basis of sixth class in car-loads, and on fifth class in less than car-load lots. This is a reduction granted at the urgent request of the iron men. It will become effective April 17, and remain in effect until Sept. 1.

The rumor that there is to be a change in the presidency of the Baltimore & Obio roads meets with a prompt denial from Andrew Carnegie. "It is too foolish to talk about," exclaimed Mr. Enoch Pratt, the close friend of Mr. Carnegie. "To think that Mr. Carnegie would relinquish a business of \$50,000,000 a year to come to Baltimore to manage a railroad is proposterous.

Pendleton is ready to vote a handsome subsidy to the Cincinnati, Wabash & Michigan road, providing the company will, in extending it eastward, go three miles out of the way and strike Pendleton. As the same parties which own the Big Four (old Bee-line) now own the C., W. & M., it may be as well for all parties to abandon the idea that the C., W. & M. will be extended south of Anderson, Ind.

A company has been organized to build a belt road at Milwaukee. The capital stock of the company is placed at \$2,500.000. It is the purpose of the company to build a belt line around the city, starting at a point near the junction of the Milwaukee, Lake Shore & Western and Chicago & Northwestern railways, and taking in Wauwa-tosa, North Greenfield, Bay View and St. Francis, and enter the city from the south.

The estimated cost of the shops and round-house which the Big Four is to erect at Lindale, about six miles out of Cleve-land, is \$200,000. The shops will have a capacity to build or repair ten engines at one time, and the round-house will hold firty-four engines. The company has had a very handsome offer for the ground on which their present shops stand in Cleve-land, where ground is too valuable to be utilized for shops.

There are now employed in the Union Station 234 persons. This statement includes not only the officers and employes of the Union Railway Company, but the officers and employes of the other roads which have within the last twelve months properly fitted up for offices.

The Pittsburg & Western owners still show a determination to extend their line westward, and it is believed they are interested in the talked-of purchase of the American Midland road. The American Midland, which is in the hands of a receiver, is to be sold, and it is believed that the P. & W. interest will purchase it; then, by building forty miles of road, the company would have a line as far West as Fort Wayne. To do this the P. & W. people would, of course, be obliged to convert the Toledo, Delphos & Western narrow-gauge into a standard-gauge road. That the Pittsburg & Western can get as far as Fort Wayne at a comparatively small cost will not be doubted, but from that point to Chi-cago the cost would be much greater per

#### CULLINGS FROM THE COURTS.

The Street Railroad Company Not Chargeable with Street Improvements.

Judge Howland rendered a decision yesterday on a demurrer to the complaint in the mandamus suit of the Western Paving and Supply Company against the Citizens' Street-railroad Company, to compel the latter to pay its share of the Pennsylvania-street asphalt improvement. He held that the demand could not be enforced against the defendant. The present street-railway company, he said, is operating under the same conditions that bound the old company. "By the ordinance of 1864," Ithe Judge

continued, "the company was required, when a street was improved, to de its own bowldering between its rails, and to improve the required space outside its tracks on the best terms it could make by contract or by the employment of its own force of trackmen or laborers, and the city had nothing to do with contracting for or executing the work except its inspection and approval. Now, by the ordinance of 1884 the city asserted the right to make a contract for the whole work, including the portion which theretofore the company had the right to do, and to bind the company by the terms of that contract, in the making of which it had no part. The special meeting for that purpose will be original ordinance once accepted consti-called later. The old board of directors tuted a contract between the old company was re-elected, with the exception that Henry D. Welch was chosen in the place of Wm. Thaw, deceased.

and the city. It is plain that the new obligation imposed by the latter was in violation of the contract and not binding on the company unless assented to by it. Whatever right existed to assess the property of the company must be the creation of contract. When the company asked admission to the street, the claw required the consent of the city to be first obtained. To the giving of that assent the city could attach absolutely any conditions, including any streetimprovement burden which it might deem Parker, traffic manager of the Lake Erie proper. Once fixed and accepted, these become a contract which neither the city nor company could change without the assent of the other. We seek in vain for any law which could justify the terms imposed by the ordinance of 1884. It does not show a cause of action existing in the plaintiff contractor or against the defendant."

Judge Howland further said that he had looked into the matter very closely, and that he decided the question as he did some reluctance, as he believed that the railroad company should bear its share of the expense on street improvements. "Some time," he continued, "men may learn that the time to consider and fix the terms of a contract is when it is entered into, and not when it is to be enforced. The power of a court is restricted to the enforcement of a contract as made. It does not include the power to make or modify them." Addison C. Harris, attorney for the paving company, filed an amended complaint in the Circuit Court, claiming that the street-railroad company agreed to the conditions of the ordinance of 1884, in order to secure the privilege of coming into the city to buy and operate the plant of the old Johnson company.

On Trial for Cutting a Contractor. Frank Piper is being tried by a jury in the Criminal Court on a charge of assault and battery on Vanlentine Heitz, a contractor. One Saturday last November, Piper, who is a bricklayer and who was working for Heintz, quit the latter's employ. They had some words over the matter, but made it up and parted apparently good friends. The following day they met at Fischinger's saloon and renewed the dispute. Piper claims Heintz called him a liar, whereupon he pulled out a pocket knife and severed an artery in Heintz's arm. Fischinger separated the men, and some bystanders bound the contractor's arm tightly with a hand-kerchief, probably saving his life. The latter, it is alleged, was ill several weeks from the loss of blood and the injury. The case will occupy several days, as there are many witnesses to be examined.

The Complaint of a Plumber. Fred L. McGahan has brought suit against the Indianapolis Natural Gas Company for \$5,000, for injuries received in an explosion last June at No. 144 East New York street. a house occupied at the time by Mrs. Ella Kilburn. McGahan is a plumber, and was called to the house in question, to investigate a break in the natural gas pipes. alleges that the defendant company had been notified of a leak before he visited the house, and that he repeated the notification, but that no attention was paid to it. He was again summoned to the house and went into the cellar to investigate the trouble more thoroughly. The lighting of a match caused an explosion which injured McGahan and Mrs. Kilburn and wrecked the house.

Got Less than He Claimed.

The judges of the Superior Court met in general term yesterday, and were occupied with the suit of Henry Stacy against the State. It came before them under the new the State to be brought before the general term of the Marion Superior Court, the decision of that tribunal being final. Stacy

work. He claimed \$3,000, and the matter has been in dispute ever since, having been before the Legislature several times in one shape or another. The suit, which was for \$1,900, was disposed of yesterday by the court allowing Stacy \$990.

A Fight Was Too Much for Her. The suit of Mrs. Pearl Day against the Citizens' Street-railroad Company is on trial before a struck jury in the Circuit Court. Mrs. Day was a passenger on the Brightwood car at the time of the fight between the driver and the passengers, not long ago, and alleges that she was so pros-trated by the affair that she suffered a long illness. She feels that \$10,000 damages would not be too much compensation for the shock to her nervous system and the illness which resulted.

The Court Record.

SUPREME COURT DECISIONS. 14141. Indiana Insurance Company vs Edward A. Hartwell. Marion S. C. Affirmed. Berkshire, J.—When insurance brokers solicited and received general applications for insurance and a company accepted one of such applications and issued a policy therefor, the agency of the brok-ers is recognized from the beginning, although they were not commissioned as agents as required in the policy, and notice to such brokers of the untruthfulness of any statement in the application is notice to the company, and having issued the poli-cy with such notice it thereby waives all right to take advantage of the untruthful

14098. Wm. C. Geiss vs. Franklin Insur-ance Company. Posey C. C. Affirmed. Mitchell, C. J.—Where the validity of the insurance is made to depend upon the assured being the absolute and unconditional owner of the true title of the property insured, a failure to set forth the title with substantial accuracy renders the policy void, not only as to the property the title to which is not truly represented, but all other property covered by the same policy and subject to the same risk. 14159. Mary E. Arbuckle vs. Nathaniel Irvin. Hamilton C. C. Affirmed. Olds, J.

-An assignment of error, like a complaint, must assign an error which is available in favor of all who join in the assignment. 15135. State ex rel. John E. Holman vs. Geo. O. Roach, Auditor. Howard C. C. Affirmed. Coffey, J.—There is no statute taken quarters in the second and third stories of the building. This number will deputy surveyors for services rendered to probably be increased fifty more as soon as the county, or to anyone else, and the counthe rooms remaining in the third story are | ty cannot be required to pay for such services. When the law fixes no compensation for deputies they must be paid by the officer who employs them. 14091. William Kloster vs. Alvin C. El-

liott. Fulton C. C. Affirmed. Elliott, J. -Contract: "And for the rental use of said farm the said W. K. is to deliver at R. twofifths of all crops grown on said farm to A. C. E., including the present growing crop of clover seed." Held, the lessor was entitled to the annual crop of clover then growing on the premises.

14388. L. S. & M. S. Railway Company
vs. John Stupak. Lake C: C. Rehearing

15245. L. E. & St. L. Railroad Company vs. Samuel W. Hart, Spencer C. C. Mo-tion to reinstate denied. SUPERIOR COURT.

Room 1-Hon. Napoleon B. Taylor, Judge. Star Savings and Loan Association vs James H. Brooks et al.; foreclosure. Finding and judgment for plaintiff for \$742.70. Emma C. S. Newby vs. Mary A. Holman et al.; to quiet title. Finding for plain-New Suits Filed.

Sadie M. Cline vs. Michael Cline; divorce

on grounds of drunkenness and cruelty.
Annie C. Young vs. Aaron F. Young;

divorce, on the ground of abandonment.

Fred L. McGahan vs. Indianapolis Natural Gas Company, damages. Demand, Carl von Hake vs. Mary A. Helman et al.; to quiet title. Finding for plaintiff.
Theodore Stein et al. vs. Mary A. Holman et al.; to quiet title. Finding for plaintiff.

CIRCUIT COURT. Hon. Livingston Howland, Judge. Pearl Day vs. Citizens' Street-railroad Company; damages. Demand, \$10,000. Trial by struck jury.

Western Paving and Supply Company vs.
Citizens' Street-railroad Company. Demurrer to answer overruled. Demurrer to complaint sustained.
William Roberts vs. Frederick Flanner, administrator of Tullis's estate, Claim allowed for 2701.24 lowed for \$701.24. Real-Estate Transfers.

Instruments filed for record in the recorder's office of Marion county, Indiana, for the twentyfour hours ending at 5 P. M., April 8, 1890, as furnished by Elliott & Butler, abstracters of titles, Hartford Block, No. 84 East Market street: The Connecticut Mutual Life Insur-

ance Company to Catherine Rauch, the east half of lots 97 and 98, in Noble's heirs' subdivision of outlet 625.00

350.00

600.00

1,000,00

2,750.00

500.00

450.00

275.00

1,700.00

West Indianapolis.

Julia B. Isgrigg to D. M. Isgrigg, the undivided one-half of lots 1, 2 and 3, in square 3, in North Park addiwilliam L. Taylor to William R. Burk, lots 33 to 42, in Bruce Place east end subdivision..... 4,500.00 Zerelda Wright to Gertie Bowen, lot 59, in Wright's subdivision of square 14. in the southeast addition.....

William Wallace, receiver, to Beriah N. Pierce, lots 63 and 64, in Ingram Fletcher's subdivision of blocks 1 and 2, in Fletcher's Oak Hill addi-Joseph Hamilton to John G. Dynes, trustee, lot 3, in block 5, in Barth's heirs' addition.

John F. Dynes to Joseph Hamilton and wife, lot 3, in block 5, in Barth's heirs' addition.

L. H. Carey to Richard Voorhees, lots 400.00 2,000.00

2,000.00 18 and 19, in square 15, in Fletcher, jr.'s, northeast addition.
W. W. Hubbard to Laura A. Shipley, lot 44, in Hubbard's South Meridian-1,000.00 street addition. Susan Boone to Albert Hutchinson,

lot 2, in Smith's subdivision of lot 13, in Fletcher's first Brookside ad-E. H. Eldridge to C. L. Knight, the south half of lot 7 and part of lot 6, in square 7, in Fletcher, jr.'s, north-1,000.00

east addition.

C. L. Knight to J. W. Morris, the south half of lot 7 and part of lot 6, in square 7, in Fletcher, jr.'s, northeast addition.

P. C. Evans to Cora B. English, lot 411, in Spann & Co.'s second Wood-lawn addition. J. A. Roosevelt to Annie W. DeHaven, 1,125.00 lot 9, in Alvord's subdivision of lot 10, etc., in Butler's subdivision of part of the east half of the southeast quarter of section 36, township 16,

range 3. Mary Lavelle to John E. Spratt, lot 1, in Bybee's first West-side addition... Mary Lavelle to John E. Spratt et al., lot 2, in Bybee's first West-side ad-Mary L. Cones to Simeon Coy, lots 146 and 148, in Julian et al.'s addition to Irvington.
E. L. Atkinson to Sarah E. McClain, lot 10, in Atkinson's first addition. Ernst Kartlowski to Alexander Kamp-mann, the east half of the west half of lot 10. in Little's subdivision of

ent-lot 85. E. W. Blinn to C. H. Munson, part of lots 2 and 3, in Bird's subdivision of out-lot 178...... 3,850.00 Conveyances, 22: consideration.....\$32,295.00 The Sixteen-Hour Brigade.

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